

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION**

UNITED STATES OF AMERICA

V.

INDIVIOR INC., ET AL.,

Defendants.

Case No. 1:19CR00016

ORDER

By: James P. Jones
United States District Judge

The defendants have filed a motion to suppress evidence resulting from execution of a search warrant, and the government has opposed the motion. The defendants' motion raised an argument that the government did not address in its response, namely:

The SW Affidavit did not disclose that the cooperating witness had a significant financial motive to cause the federal government to open an investigation into Indivior. The cooperating witness had filed a *qui tam* complaint against Indivior almost seven months prior to the government obtaining the search warrant.

Defs.' Mem. Supp. 7, ECF No. 262.

The SW Affidavit also failed to disclose that the cooperating witness — a former Indivior employee — had an obvious monetary incentive to allege that some employees aided and abetted healthcare fraud committed by prescribing physicians. That fact should have informed the “totality of the circumstances” analysis in determining probable cause by discounting the SW Affidavit’s heavy reliance on a single, biased informant.

Id. at 17 (internal citations omitted).

Accordingly, the government is **ORDERED** to address the defendants' argument noted above within 7 days of the date of entry of this Order.

ENTER: February 4, 2020

/s/ JAMES P. JONES

United States District Judge